



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**NOTICE OF APPEAL AND
TRANSMITTAL OF AMENDMENT AND
EXTENSION OF TIME**

Docket Number
2345/155

Application Number
09/856,108

Filing Date
February 27, 2002

Examiner
Kenneth Parker

Art Unit
2871

Title
ELECTROOPTICAL LIGHT MODULATOR

Applicant(s)
Wolfgang DULTZ et al.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: December 13, 2004

Signature: Linda M. Shudy (Reg. No. 47,084)

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action of July 12, 2004 finally rejecting claims 16 to 38. Applicants believe that claims 16 to 38 should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

An Amendment in response to the Final Office Action is being filed herewith.

This is also a Request pursuant to 37 C.F.R. § 1.136(a) by which Applicants respectfully request a two-month extension of time in which to respond to the Final Office Action so that the original three month response period is extended from October 12, 2004 to December 13, 2004 (since December 12, 2004 is a Sunday).

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$500.00**, and the 37 C.F.R. § 1.136(a) two-month extension fee, which is believed to be **\$450.00**, to the deposit account number **11-0600** of **Kenyon & Kenyon**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon**. Two duplicate copies of this paper are enclosed for those purposes.

Dated: December 13, 2004

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